



**THE CITY OF REDMOND
HEARING EXAMINER**

BEFORE THE HEARING EXAMINER

**IN THE MATTER OF A CONDITIONAL USE)
PERMIT TO BE GRANTED FOR EHA)
TRANSITIONAL HOUSING FOR A)
CONCURRENCY EXEMPTION FROM THE)
TRANSPORTATION SERVICE STANDARD)**

CUP 02-002

Eastside Housing Association

RECOMMENDATION

The Hearing Examiner recommends that the City Council **GRANT** the request for an exemption from compliance from the transportation service standards (concurrency) for the transitional housing development and childcare facility at 9551 Avondale Road NE.

INTRODUCTION

This is an application for an exemption from transportation service standard compliance (concurrency) for construction of 61 units of transitional housing and related facilities and a daycare center with capacity to serve 60 children. The request came on for hearing before Gordon F. Crandall, Hearing Examiner, on September 23, 2002 at 7:00 PM. Notice of the hearing was given as required by ordinance.

Testifying under oath in support of the application were:

Terry Shirk, Senior Planner, City of Redmond
Doreen Marchione, Executive Director of Hopelink and Co-Chair of the Board of
Directors of Eastside Housing Association
John Turnbull, Lorig Associates, Project Manager

There was no testimony from the general public.

The following exhibits were offered and admitted:

Exhibit A: Technical Committee Report with Attachments dated September 23, 2002
Exhibit B: Staff PowerPoint Presentation

From the foregoing the Hearing Examiner makes the following:

FINDINGS OF FACT

1. *Proposal.* The City of Redmond on behalf of Eastside Housing Association (Applicant) seeks approval of an exemption from transportation service standard compliance (concurrency) in connection with development of 61 units of transitional housing and related facilities and a daycare center with capacity to serve up to 60 children. on the 10 acre former Coast Guard site at 9551 Avondale Road NE. Eastside Housing Association (EHA) is a consortium of 3 non-profit service providers, Hopelink, Friends of Youth, and Catholic Community Services, which has contracted with the City to develop a four-acre portion of the site. The remainder of the site will be devoted to market rate housing, housing for low-income families and a one-acre park. A site plan is attached as Attachment 1.
2. *SEPA.* On October 11, 2000 a determination of nonsignificance (DNS) was issued for the short plat of the site. On September 20, 2002 an addendum to the DNS was issued which covers only the requested exemption to the transportation service standards. A separate threshold determination will be made for construction on the site.
3. *Traffic Analysis.* A traffic analysis of the proposed development was prepared by the Transpo Group on May 8, 2002. Based upon the development of 61 units of transitional housing and staff including eight emergency shelter units, a community service center and a childcare facility for up to 60 children, Transpo estimated that the project would generate between 40 and 81 PM peak hour trips. The higher figure was based upon the average trip rate for apartments and childcare facilities published by the Institute of Traffic Engineers (ITE). Transpo cautioned that the figures do not take into account the transitional and low-income nature of the housing, and suggested that with the availability of transit on Avondale Road NE and onsite daycare students, the PM peak hour trips could be as few as half the ITE estimates.
4. *Public Input.* All public notice requirements were satisfied. There were no comments from the public concerning the requested exemption.
5. *Concurrency.* The City is divided into seven Transportation Management Districts (TMD's) and projects that add 30 or more new trips to at least one signalized intersection in an affected TMD are required to submit to a concurrency test. A certificate of concurrency will not be approved if degradation is caused beyond the adopted LOS (Level of Service) standard for a TMD, or if the LOS is already exceeded would be degraded further. Supplementary mitigation may be required to meet the LOS standard. RCDG 20D.210.10-080, 090.

6. *Current Standards of TMD.* The average arterial intersection LOS for the NE Redmond TMD is currently out of compliance with the adopted standard.
7. *Policies.* The transitional housing project is consistent with Comprehensive Plan Housing Policy HO-35, which encourages the support and development of emergency, transitional, and permanent housing with appropriate onsite services for persons with special needs. Countywide planning policies, which were adopted by the City of Redmond encourage 24% of all new housing to be devoted for low-income families. Comprehensive Plan transportation policy TR-12 recognizes that the City should exempt land uses from transportation service standards when the uses significantly advance broad public policy objectives.
8. Any conclusion of law deemed to be a finding of fact is hereby adopted as such.

From these findings of fact the Hearing Examiner makes the following:

CONCLUSIONS OF LAW

1. A Conditional Use Permit is a Type IV review conducted by the Hearing Examiner with a recommendation to the City Council. RCDG 20F.30-15. An exemption from the transportation service standards is to be considered under the Conditional Use Permit procedures. RCDG 20D.210.10-040.
2. The criteria from granting an exemption from transportation service standards are established in RCDG 20D.210.10-040 as follows:
 - (1) Exemptions may be considered for the following uses:
 - a. Child daycare facilities, if not operated for profit;
 - b. Public transportation facilities;
 - c. Public parks and recreational facilities;
 - d. Social service facilities; if privately operated and not for profit;
 - e. Low and moderate income housing;
 - f. Public libraries;
 - g. Hospitals, if not operated for profit;
 - h. Publicly funded educational facilities
 - (2) The following criteria shall be used to determine whether a use should be exempt from concurrency requirements:
 - a. The exemption granted to a proposed development achieves a broad public policy objective by the nature of the development's use and location; and
 - b. The benefits of granting the exemption out-weigh short-term impacts to the transportation system.
3. The Technical Committee recommends approval of the exemption. It is their view that the type of use proposed qualifies for the exemption, that the project would advance broad public policy objectives and that the short term impact of adding 40 to 81 new PM peak hour trips will be out-weighed by the benefits of the project of providing a much

needed housing resource for low-income persons. The Hearing Examiner concurs, and recommends **APPROVAL** of the request by the City Council.

4. Any finding of fact deemed to be a conclusion of law is adopted as such.

RECOMMENDATION

The Hearing Examiner recommends that an exemption from the transportation service standards (concurrency) for the proposal of Eastside Housing Association in connection with construction of 61 units of transitional housing and related facilities and a daycare with the capacity to serve 60 children be **APPROVED**.

Done this 7th Day of October 2002.

/s/ Gordon F. Crandall
GORDON F. CRANDALL
Hearing Examiner

Attachment 1: Vicinity Map

PROCEDURE FOR RECONSIDERATION

Any party of record may file a written request for reconsideration by the Examiner. Requests for reconsideration must be filed with the **Office of the Hearing Examiner**, City of Redmond, Mail Stop: PSFHE, 8701 160th Avenue NE, P.O. Box 97010, Redmond Washington, 98073-9710, no later than **5:00 p.m. on October 21, 2002**. **A request for reconsideration shall explicitly set forth alleged errors of procedure or fact.** Timely filed requests for reconsideration will be processed pursuant to RCDG, Appendix 20F-2, § IX.C.3.

NOTICE

You are hereby given notice that pursuant to RCW 35.63.130 the foregoing Findings of Fact, Conclusions and Recommendations have been submitted to the Mayor and City Council of the City of Redmond, Washington, for their consideration and approval. Council action on this item will occur at a later date, of which you will be notified by mail.

The following statement is provided pursuant to RCW 36.70B.130: "Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation."
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ATTACHMENT I

Vicinity Map

